

# Desert Pass Unit 3

City of El Paso — City Plan Commission- February 21, 2019

**PSEN19-00001 — Reinstatement Request to Submit Recording Maps**



**STAFF CONTACT:** Adriana Martinez, (915) 212-1611, [Martinezad@elpasotexas.gov](mailto:Martinezad@elpasotexas.gov)  
**PROPERTY OWNER:** Camino Real Investments I LTD  
**REPRESENTATIVE:** Conde, Inc.  
**LOCATION:** North of I-10 and West of Resler  
**ACREAGE:** 2.016  
**VESTED:** No, under the current subdivision code  
**PARK FEES REQUIRED:** N/A  
**EXCEPTION/MODIFICATION REQUEST:** N/A  
**RELATED APPLICATIONS:** SUSU15-00030  
**PUBLIC INPUT:** N/A  
**STAFF RECOMMENDATION:** Approval

**SUMMARY OF REQUEST:** The applicant is requesting a Reinstatement of an expired application and a one-year extension in accordance with Section 19.41.040 of the current subdivision code. According to the applicant, there were delays in receiving in the playground equipment and coordination with El Paso Water Utilities regarding future water and wastewater connections. The proposed subdivision will result in one commercial lot and Gem St. ROW extension.

**SUMMARY OF RECOMMENDATION:** The Development Coordinating recommended **APPROVAL** of the reinstatement of Desert Pass Unit 3 and a one-year extension in accordance with Section 19.41.040 of the current subdivision code on January 29, 2019. The applicant has provided legitimate reasons for the delay in recording of the final plat. Likewise, the request satisfies the requirements outlined in Section 19.41.040 – Reinstatement of the current code.



### **19.41.040 REINSTATEMENT**

A. Unless otherwise provided by this title, an applicant may request reinstatement of an expired application by filing a written request with the approving authority within thirty business days of the date of expiration. The request for reinstatement shall include a statement of the reasons why the application should be reinstated and extended. A request for reinstatement shall be processed and decided in the manner provided for an extension of an expiration period for more than one year. The expiration date shall not be extended for more than two years from the date a complete application was officially submitted.

B. A reinstatement of an expired application is wholly discretionary, and the approving authority, in determining whether or not to grant reinstatement, shall consider any changes in development conditions in the area, new public health, safety and welfare concerns and regulations, and the application thereof to development of the land.

- The applicant is requesting a Reinstatement of an expired application and a one-year extension in accordance with Section 19.41.041 of the current subdivision code.
- Staff did consider any changes in development conditions in the area, new public health, safety and welfare concerns, or regulations and found none that would be applicable to the request.

### **CASE HISTORY**

- The City Plan Commission reconsidered & reapproved Desert Pass Unit 3 on February 11, 2016 on a major combination basis (the applicant was proposing to construct an extended section of Gem Street, whereas the initial approval contained only a portion of this street).
- Desert Pass Unit 3 was initially approved on a major combination basis by the City Plan Commission May 21, 2015.

### **RELATION OF PROPOSED APPLICATION TO THE CITY'S COMPREHENSIVE PLAN**

**CONSISTENCY WITH PLAN EL PASO:** Subject property is designated G4, Suburban (Walkable)

**NEIGHBORHOOD CHARACTER:** Subject property is zoned C-3/sc (Commercial/special contract) and is currently vacant. Properties adjacent to the subject property are zoned C-3/sc (Commercial/special contract). Surrounding land uses are also vacant. The nearest school is Coronado High School (.9 mi). The nearest park is Keystone Heritage Wetlands (.64 mi).

### **COMMENT FROM THE PUBLIC:**

N/A.

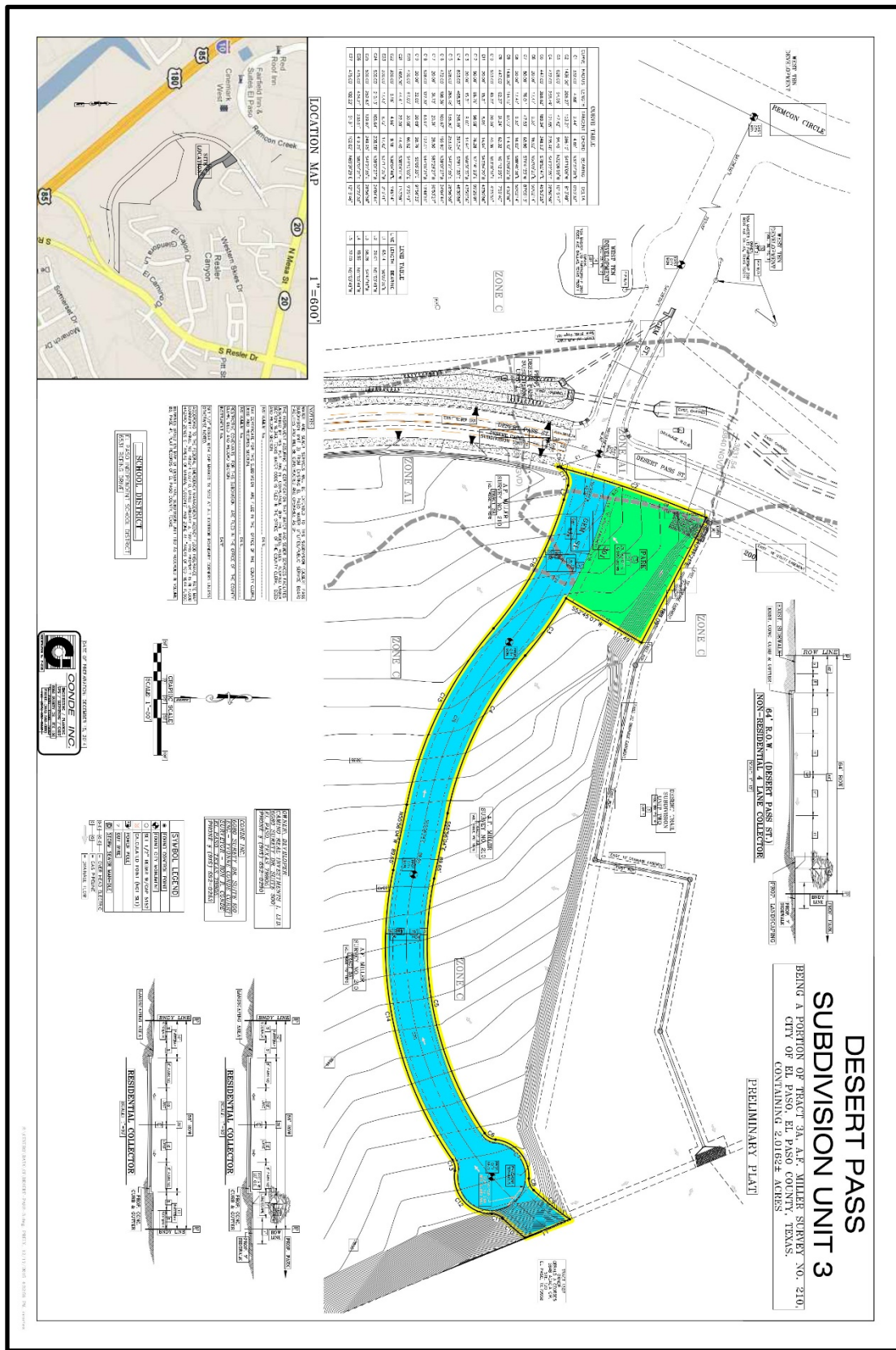
### **PLAT EXPIRATION:**

If approved, the reistatement will be valid until **February 21, 2020**. Failure to submit the recording maps by the expiration date of the extension will necessitate the resubmittal of the subdivision or an additional extension.

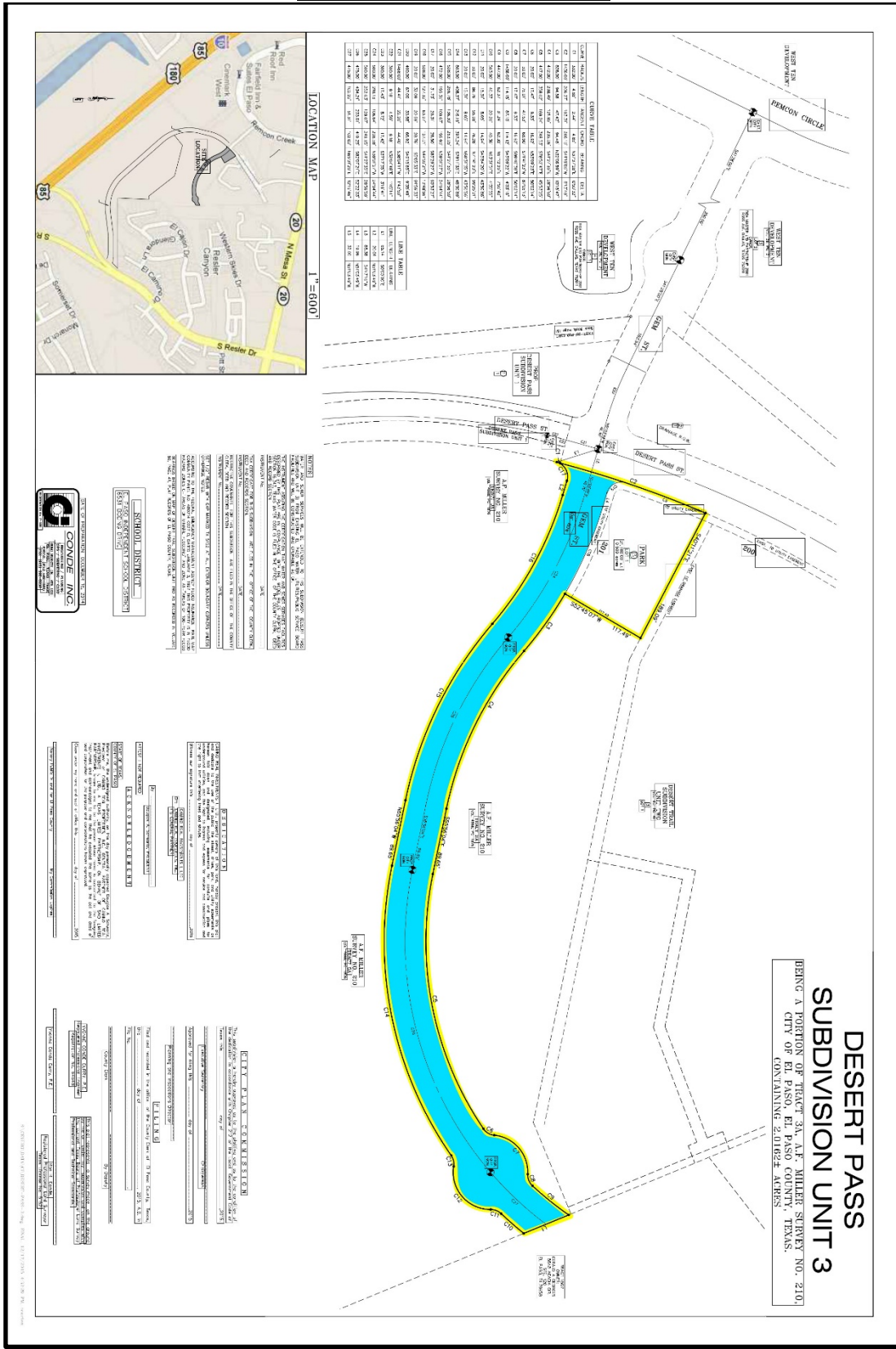
### **ATTACHMENTS:**

1. Preliminary Plat
2. Final Plat
3. Extension Request Letter
4. Department Comments

# **ATTACHMENT 1**



# ATTACHMENT 2





# **ATTACHMENT 3**



**CONDE INC**

February 4, 2019

Adriana Martinez  
City of El Paso  
Planning and Inspections Department  
801 Texas Avenue  
El Paso, Texas 79901

**RE: DESERT PASS UNIT 3 (SUSU15-00030) SUBMISSION OF RECORDING PLAT  
REINSTATEMENT REQUEST PER 19.41.040**

Dear Adriana,

- On behalf of Camino Real Investments I, LTD, we want to thank you for all of your assistance regarding the processing of the above referenced project. We hereby request per Section 19.41.040, the City to grant the above in order to allow for a one year extension of plat recording due to the following reasons:
  1. Dessert Pass Unit 3 improvements will be completed by April 2019.
  2. Desert Pass Unit 3 Park improvements will provide park amenities to the neighboring Apartment Complex that does not offer Park amenities.
  3. Desert Pass Unit 3 street improvements will provide a continuation of Western Skies that will allow Desert Pass Apartments the access and utilities needed to start Phase II of their project.
  4. Desert Pass Unit 3 street improvements will provide the access needed for the future office buildings to be built along Western Skies.
  5. The Extension Request for plat recordation and subdivision improvements that was delivered to the City of El Paso Planning Department on January 14, 2019. The submittal request was sent 21 business days prior to date of this Subdivisions 3 year deadline.
  6. The owner would greatly appreciate the City of El Paso Planning Departments approval of this request in order to allow the owner to complete the improvements now and not require the owner to re-submit and go through the entire process all over again which would entail a delay in the improvements and undue costs that is not necessary.

ENGINEERING/PLANNING/SURVEYING

6080 SURETY DR., SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0283 / FAX (915) 592-0288

7. The approved Playground equipment was delivered during the month of December, 2018. Due to the delay of the equipment, the owner was not able to complete Desert Pass Unit 3 Improvements by February 11, 2019.
8. Thanks to the El Paso Water Utilities assistance, revisions to the Sewer Line Design were approved in late 2018 in order to accommodate future commercial grades. Installation of said water and sewer lines are set for February 2019.

If you have any questions or need additional information, please feel free to contact us.

Sincerely,

**CONDE, INC.**



Conrad Conde

# **ATTACHMENT 4**

## **Planning & Inspections Department- Planning Division**

Developer / Engineer shall address the following comments:

1: Submit to the Planning & Inspections Department – Planning Division the following prior to recording of the subdivision:

- a: Current certificate tax certificate(s)
- b: Current proof of ownership.
- c: Release of access document, if applicable.
- d: Set of restrictive covenants, if applicable.

2: Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

## **Planning & Inspections Department – Land Development**

No objections.

## **Capital Improvements Department – Parks & Recreation**

We have no objections extending the expired application but only for one more year; after that, if construction is not completed the applicant will have to start the entire subdivision process and or provide a security deposit as required.

## **El Paso Water Utilities**

No comments were received.